

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING JUDGE
HOWARD C. BERMAN, JQC NO.
00-211

CASE NO. SC00-2491

**RENEWAL OF MOTION FOR CONTINUANCE AND/OR REQUEST FOR FULL
PANEL REVIEW**

HOWARD C. BERMAN ("Judge Berman"), by and through undersigned counsel, renews his Motion for Continuance of the hearing which is scheduled to begin on Monday, September 10, 2001, and/or alternatively requests full panel review of the denial of the Motion for Continuance which occurred on Friday, August 31, 2001, on the following grounds:

1. At 11:00 a.m., on Tuesday, September 4, 2001, at the time of the dictation of this motion, Bettye King, one of the counsel for Judge Berman, remains at St. Joseph's Hospital in Tampa, Florida, with her mother who continues to be ill as set forth in the original Motion for Continuance and supporting papers. Ms. King has remained with her mother virtually all of the time since the hospitalization on Monday, August 27, 2001.

2. As previously asserted, of the three witnesses who are listed in the original Formal Charges, Ms. King prepared for the depositions and deposed each of them and it was the intention of Judge Berman that she examine them at the hearing, along with other witnesses.

3. Additionally, Ms. King has talked with other witnesses and has taken other witnesses' depositions. The request of Judge Berman for a continuance is only for a brief continuance until Ms. King can participate in the hearing, anticipated to be thirty to forty-five

days. Although Judge Berman recognizes the difficulties with rescheduling, the rescheduling issue is not within Judge Berman's control.

4. Judge Berman should not be deprived of the counsel of his selection who have prepared this matter for hearing.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by facsimile and U.S. Mail to the persons on the attached Service List this ____ day of September, 2001.

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